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09/971,998	10/04/2001	Jon Ebbe Brelin	SONY-15200	4142

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HAVERSTOCK & OWENS LLP
162 NORTH WOLFE ROAD
SUNNYVALE, CA 94086

EXAMINER

MYERS, PAUL R

ART UNIT PAPER NUMBER

2112

DATE MAILED: 04/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/971,998

Applicant(s)

BRELIN, JON EBBE

Examiner

Paul R. Myers

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5-7,11-13,17,18,20,24-26 and 30-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 5-7, 11-13, 17-18, 20, 24-26, 30-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments filed 2/14/05 have been fully considered but they are not persuasive.

In regards to applicants argument that Sato teaches the second notify command being a dedicated cancel command: Sato's second notify command is a notify command including the OPR "dummy" field containing a code recognized as a cancel field (See figures 5A and 5E). This command is still a notify command in that the CT/RC field is the field that determines the type of command. The examiner notes Sato also teaches the status command having multiple OPR fields including current value and dummy (Figure 12A). Sato expressly teaches that an inquiry command, a notify command and a status command can be transmitted "instead" of each other (Column 6 lines 20-54) because they all have the property not to change the state of the target device.

In regards to applicants disagreement with the examiners statement in the advisory action: The examiner agrees the word "any" was incorrect. Sato teaches the notify command can be replaced with either an inquiry command or a status command because they have the property not to change the state of the target device. Thus it would have been better to state that Sato teaches the cancel command can be a status command or an inquiry command as well as a notify command.

Since Sato states that a Status command can be used instead of a notify command opposed to stating that an alternative embodiment is to use a status command the examiner concedes that a single reference 103 rejection might be more appropriate than a 102 rejection. As such the examiner will apply both a 102 and a 103 rejection.

Claim Objections

2. Claims 1, 5-7, 11-13, 17-18, 20, 24-26 and 30-43 are objected to because of the following informalities: The word "cancelling" appears to be misspelled it should be canceling .

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim1, 5-7, 11-13, 17-18, 20, 24-26 and 30-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al (EP 812092 A2; herein after Sato).

As per claims 1, 30, 43, Sato discloses a method of canceling a pending notify command at a target device comprising: a. sending a canceling command over a network from a controlling device to the target device; and b. canceling the pending notify command at the target device when the canceling command is received while the pending notify command is pending (Abstract; see also col. 13, lines 5-7; Fig. 3; col. 14, lines 40-57). Sato teaches the canceling command being a second notify command. Sato does not expressly state that the second command is a status command. Sato suggests that a status command can be used instead of a notify command because "they have the property not to change the state of the target device" (Column 6 lines 20-54). It would have been obvious to a person of ordinary skill in the art at the

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time of the invention to replace the second notify command with a status command because a status command has the property not to change the state of the target device.

As per claims 5, 31, 34 Sato discloses the method as claimed in claim 1 wherein the network substantially complies with a version of the IEEE 1394 standard (e.g. col. 11, lines 50-56).

As per claims 6, 32, 35 Sato discloses the method as claimed in claim 5 wherein the canceling command substantially complies with a version of the AV/C protocol (e.g. col. 3, lines 6-24; col. 4, lines 5-18 and col. 6, lines 11-19).

As per claim 7, Sato discloses a target device (e.g. Fig. 2, element 12) for communicating with a controlling device over a network, the target device (e.g. 12) comprising: a. means for communicating with the controlling device over the network, the means for communicating including ability to receive a notify command from the controlling device (Figs. 2 and 4; e.g. see col. 12, lines 23-55 and col. 14, lines 2-57), issue an interim response to the notify command to the controlling device (Fig. 4; ST 16) and receive a canceling command from the controlling device (Fig. 4; ST 19); and b. means for canceling coupled to the means for communicating for canceling a pending notify command if a canceling command is received from the controlling device while the pending notify command is pending (e.g. Figs. 2, 5E and 5F).

As per claim 11, "the target device as claimed in claim 7 wherein the network substantially complies with a version of the IEEE 1394 standard" is disclosed by Sato (e.g. col. 11, lines 50-56).

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As per claim 12, “the target device as claimed in claim 11 wherein the canceling command substantially complies with a version of the AV/C protocol” is disclosed by Sato (see e.g. col. 3, lines 6-24; col. 4, lines 5-18 and col. 6, lines 11-19).

As per claims 13, 36: Sato discloses a target device (e.g. camcorder) configured to communicate with a controlling device (e.g. computer) over a network, the target device comprising: a. an interface circuit configured to communicate with the controlling device over the network, the interface circuit including ability to receive a notify command from the controlling device, issue an interim response to the notify command and receive a canceling command from the controlling device (Figs. 2 and 4; e.g. see col. 12, lines 23-55 and col. 14, lines 2-57); and b. a control circuit coupled to the interface circuit to cancel a pending notify command if a canceling command is received from the controlling device while the pending notify command is pending (e.g. Figs. 2, 5E and 5F).

As per claims 17, 37: “the target device as claimed in claim 13 wherein the network substantially complies with a version of the IEEE 1394 standard” is disclosed by Sato (e.g. col. 11, lines 50-56).

As per claims 18, 38: “the target device as claimed in claim 17 wherein the canceling command substantially complies with a version of the AV/C protocol” is disclosed by Sato (see e.g. col. 3, lines 6-24; col. 4, lines 5-18 and col. 6, lines 11-19).

As per claims 20, 39: Sato discloses a network of devices coupled together comprising: a. a controlling device configured to send a canceling command to cancel a pending notify command (e.g. col. 13, lines 3-7); and b. a target device including: i. an interface circuit configured to communicate with the controlling device to receive the canceling command from

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the controlling device (Figs. 2 and 4; e.g. see col. 12, lines 23-55 and col. 14, lines 2-57); and ii. a control circuit coupled to the interface circuit to cancel a pending notify command if the canceling command is received from the controlling device while the pending notify command is pending (Figs 2, 5E and 5F).

As per claims 24, 40 “the network of devices as claimed in claim 20 wherein the network substantially complies with a version of the IEEE 1394 standard” is disclosed by Sato (e.g. col. 11, lines 50-56).

As per claims 25, 41: “the network of devices as claimed in claim 24 wherein the canceling command substantially complies with a version of the AV/C protocol” is disclosed by Sato (see e.g. col. 3, lines 6-24; col. 4, lines 5-18 and col. 6, lines 11-19).

As per claims 26, 42: Sato discloses a network of devices coupled together by a standard IEEE 1394 serial bus (e.g. Fig. 1; col. 11, lines 50-56) comprising: a. a controlling device in communication with the standard IEEE 1394 serial bus and configured for sending a canceling command over the standard IEEE 1394 serial bus (e.g. col. 13, lines 3-7); and b. a target device in communication with the standard IEEE 1394 serial bus and configured for receiving the canceling command and canceling a pending notify command if the canceling command is received while the pending notify command is pending (Figs. 2-4 and 5E-5F; e.g. see col. 12, lines 23-55 and col. 14, lines 2-57).

As per claim 33, Sato discloses a target device (e.g. Fig. 2, element 12) for communicating with a controlling device over a network, the target device (e.g. 12) comprising: a. means for communicating with the controlling device over the network, the means for communicating including ability to receive a notify command from the controlling device (Figs.

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2 and 4; e.g. see col. 12, lines 23-55 and col. 14, lines 2-57), issue an interim response to the notify command to the controlling device (Fig. 4; ST 16) and receive a canceling command from the controlling device (Fig. 4; ST 19); and b. means for canceling coupled to the means for communicating for canceling a pending notify command if a canceling command is received from the controlling device while the pending notify command is pending (e.g. Figs. 2, 5E and 5F). Sato discloses the method as claimed in claim 1 wherein the canceling command is a notify command sent while the pending notify command is pending

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 5-7, 11-13, 17-18, 20, 24-26, 30-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato et al. (EP 0812092 A2; hereinafter Sato).

As per claims 1, 30, 43, Sato discloses a method of canceling a pending notify command at a target device comprising: a. sending a canceling command over a network from a controlling device to the target device; and b. canceling the pending notify command at the target device when the canceling command is received while the pending notify command is pending (Abstract; see also col. 13, lines 5-7; Fig. 3; col. 14, lines 40-57). Sato discloses the method as claimed in claim 1 wherein the canceling command is a status command sent while the pending notify command is pending (Column 6 lines 20-55).

As per claims 5, 31, 34 Sato discloses the method as claimed in claim 1 wherein the network substantially complies with a version of the IEEE 1394 standard (e.g. col. 11, lines 50-56).

As per claims 6, 32, 35 Sato discloses the method as claimed in claim 5 wherein the canceling command substantially complies with a version of the AV/C protocol (e.g. col. 3, lines 6-24; col. 4, lines 5-18 and col. 6, lines 11-19).

As per claim 7, Sato discloses a target device (e.g. Fig. 2, element 12) for communicating with a controlling device over a network, the target device (e.g. 12) comprising: a. means for communicating with the controlling device over the network, the means for communicating including ability to receive a notify command from the controlling device (Figs. 2 and 4; e.g. see col. 12, lines 23-55 and col. 14, lines 2-57), issue an interim response to the notify command to the controlling device (Fig. 4; ST 16) and receive a canceling command from the controlling device (Fig. 4; ST 19); and b. means for canceling coupled to the means for communicating for canceling a pending notify command if a canceling command is received from the controlling device while the pending notify command is pending (e.g. Figs. 2, 5E and 5F).

As per claim 11, "the target device as claimed in claim 7 wherein the network substantially complies with a version of the IEEE 1394 standard" is disclosed by Sato (e.g. col. 11, lines 50-56).

As per claim 12, "the target device as claimed in claim 11 wherein the canceling command substantially complies with a version of the AV/C protocol" is disclosed by Sato (see e.g. col. 3, lines 6-24; col. 4, lines 5-18 and col. 6, lines 11-19).

As per claims 13, 36: Sato discloses a target device (e.g. camcorder) configured to communicate with a controlling device (e.g. computer) over a network, the target device comprising: a. an interface circuit configured to communicate with the controlling device over the network, the interface circuit including ability to receive a notify command from the controlling device, issue an interim response to the notify command and receive a canceling command from the controlling device (Figs. 2 and 4; e.g. see col. 12, lines 23-55 and col. 14, lines 2-57); and b. a control circuit coupled to the interface circuit to cancel a pending notify command if a canceling command is received from the controlling device while the pending notify command is pending (e.g. Figs. 2, 5E and 5F).

As per claims 17, 37: “the target device as claimed in claim 13 wherein the network substantially complies with a version of the IEEE 1394 standard” is disclosed by Sato (e.g. col. 11, lines 50-56).

As per claims 18, 38: “the target device as claimed in claim 17 wherein the canceling command substantially complies with a version of the AV/C protocol” is disclosed by Sato (see e.g. col. 3, lines 6-24; col. 4, lines 5-18 and col. 6, lines 11-19).

As per claims 20, 39: Sato discloses a network of devices coupled together comprising: a. a controlling device configured to send a canceling command to cancel a pending notify command (e.g. col. 13, lines 3-7); and b. a target device including: i. an interface circuit configured to communicate with the controlling device to receive the canceling command from the controlling device (Figs. 2 and 4; e.g. see col. 12, lines 23-55 and col. 14, lines 2-57); and ii. a control circuit coupled to the interface circuit to cancel a pending notify command if the

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canceling command is received from the controlling device while the pending notify command is pending (Figs 2, 5E and 5F).

As per claims 24, 40 “the network of devices as claimed in claim 20 wherein the network substantially complies with a version of the IEEE 1394 standard” is disclosed by Sato (e.g. col. 11, lines 50-56).

As per claims 25, 41: “the network of devices as claimed in claim 24 wherein the canceling command substantially complies with a version of the AV/C protocol” is disclosed by Sato (see e.g. col. 3, lines 6-24; col. 4, lines 5-18 and col. 6, lines 11-19).

As per claims 26, 42: Sato discloses a network of devices coupled together by a standard IEEE 1394 serial bus (e.g. Fig. 1; col. 11, lines 50-56) comprising: a. a controlling device in communication with the standard IEEE 1394 serial bus and configured for sending a canceling command over the standard IEEE 1394 serial bus (e.g. col. 13, lines 3-7); and b. a target device in communication with the standard IEEE 1394 serial bus and configured for receiving the canceling command and canceling a pending notify command if the canceling command is received while the pending notify command is pending (Figs. 2-4 and 5E-5F; e.g. see col. 12, lines 23-55 and col. 14, lines 2-57).

As per claim 33, Sato discloses a target device (e.g. Fig. 2, element 12) for communicating with a controlling device over a network, the target device (e.g. 12) comprising: a. means for communicating with the controlling device over the network, the means for communicating including ability to receive a notify command from the controlling device (Figs. 2 and 4; e.g. see col. 12, lines 23-55 and col. 14, lines 2-57), issue an interim response to the notify command to the controlling device (Fig. 4; ST 16) and receive a canceling command from

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the controlling device (Fig. 4; ST 19); and b. means for canceling coupled to the means for communicating for canceling a pending notify command if a canceling command is received from the controlling device while the pending notify command is pending (e.g. Figs. 2, 5E and 5F). Sato discloses the method as claimed in claim 1 wherein the canceling command is a notify command sent while the pending notify command is pending

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 6,150,953 and JP409326812A are in the same patent family of the Sato et al. reference used in the rejection under 37 USC 102(b) above. Aikawa et al. (USPN 6,654,821) teach the use of AV/C protocol in networked devices. Horiguchi et al. (US 2001/0021194 A1) teach the use of AV/C protocol in networked devices. In particular, stream data outputted from an output device 1 connected to a predetermined network is received by an input device 2. When the output device or a different device has sent an order for setting so that output data of the output device 1 may be inputted to a data input section 2b of the input device 2, the input device 2 conducts input setting based on the order. In addition, when the device which sent the order has sent an order to cancel the input setting, the input device 2 conducts processing of canceling the input setting. Mitsuhiro Miyashita et al. and Tatsuya Igarashi et al. teach various home networks using IEEE-1394 technology.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul R. Myers whose telephone number is 571 272 3639. The examiner can normally be reached on Mon-Thur 6:30-4:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 571 272 3632. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PRM
April 26, 2005



**PAUL R. MYERS
PRIMARY EXAMINER**